

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

At the outset, Applicants acknowledge, with appreciation, the indication of allowable subject matter in Claims 4 and 17.

By this Amendment, Applicants have amended Claims 1-4, 6-9, 12, 13, 15-17, and 20; added new Claim 21; and cancelled Claims 5, 10, 11, 14, 18, and 19 without prejudice or disclaimer. Thus, Claims 1-4, 6-9, 12, 13, 15-17, 20, and 21 are pending.

In response to the Office Action's indication of allowable subject matter in dependent Claim 17, Claim 17 has been rewritten in independent form. Claim 17 should therefore be allowable. In addition, new independent Claim 21 combines the subject matter of previously presented Claim 9 with the subject matter of allowable Claim 17. Thus, Claim 21 is believed to be allowable at least for the same reasons as Claim 17.

Turning to the merits, in the final Office Action, Claims 1-3, 5-16, and 18-20 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,859,650 to Ritter ("*Ritter*"). Without acceding to the rejection, Applicants have amended independent Claims 1 and 9 to include the limitations of dependent Claims 5 and 10, respectively, and request that the Examiner reconsider the rejection of Claims 5 and 10.

In particular, it is apparent that *Ritter* fails to teach or suggest a method for processing digital data in a mobile telephone network, the method including, for example, a slave-type application program stored in a storage unit of a chip embedded in a smart card, wherein the slave-type application program receives commands from

a master-type application program stored on a remote server and executes the commands using an information processor of the chip, as recited in amended Claims 1 and 9. The Office Action alleges that column 4, lines 18-37 and column 6, lines 26-31 of *Ritter* teach the above-noted features. However, the relied-upon portions of *Ritter* merely disclose that an outside device 3 can directly use or access the data stored on the chip card and that application servers 9 are connected to a SIM server 5 for managing diverse value-added services (e.g., application servers may be managed by a financial institution to carry out money transactions with the mobile apparatus 1). *Ritter*, col. 4, lines 18-37; col. 6, lines 26-31.

Even assuming *arguendo* that *Ritter*'s outside device 3 can be characterized as a remote server (even though Applicants do not believe that the outside device 3 can be characterized as a remote server), direct use or access to data stored on the chip by an outside device does not teach or suggest that the outside device sends commands to be executed by the chip's controller. Likewise, managing application servers using a SIM server appears to address controlling the application servers of *Ritter*, as opposed to teaching or suggesting that the card of *Ritter* receives and executes commands from the SIM server. Thus, *Ritter* fails to teach or suggest that the slave-type application program receives commands from the master-type application program and executes the commands using an information processor of the chip. Accordingly, *Ritter* fails to teach or suggest each and every element of Claims 1 and 9.

Therefore, Applicants respectfully submit that independent Claims 1 and 9 patentably distinguish from the cited references. Further, Claims 2-4, 6-8, 12, 13, 15, 16, and 20 are believed to be patentable due to their respective dependence

from independent Claims 1 and 9, as well as for the additional features recited in Claims 2-4, 6-8, 12, 13, 15, 16, and 20.


In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is respectfully requested.

Applicants also respectfully submit that the amendments to the claims do not require further searching since their limitations were previously present in now cancelled Claims 5 and 10 and that the amendments place the claims into better condition for appeal. Therefore, entry is respectfully requested. No new matter is added.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2146-907758) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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February 1, 2007

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